



REMARKS

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Recently, a number of references have surfaced. As will be discussed below, those references should not have affected the allowability of the application as claimed.

Altogether tens sets of publications are submitted. All of them, except the last two, appears to describe magnetic coupling at the plane of the lenses. The second to the last set does not even seem to describe magnets as means for attachment. The last set is from an opposition proceeding initiated by Pentax Vision Company Limited ("Pentax"). It describes magnets at the temples of a spectacle frame, as in the previously disclosed US Patent No. 5,568,207.

1. The Meeker Patent

U.S. Patent number 4,070,103, by Meeker was issued on January 24, 1978 ("the Meeker Patent"). It describes attachable-rim covers to a spectacle unit. One attachment approach is by magnetic strips, with magnetic coupling seeming to occur on the plane of the lenses.

2. The First German Patent Application

German patent number G 85 07 761.5, has a publication date of June 13, 1985 ("the First German Patent Application"). As shown by its figures and a translation of its summary in its page 10, it describes a spectacle frame that is composed of two parts--detachable lenses and a frame. Lenses can be exchanged and attached on the frame magnetically. However, magnetic coupling again seems to occur on the plane of the lenses.

A paragraph (page 5, lines 14 to 18) in the Application was called to Applicant's attention. As shown in a translation of that paragraph, Applicant believes, it describes a form-fitting seal such as for alignment purposes, and should not have any relevancy to the allowability of the claims.

3. The Second German Patent Application

German patent number G 88 06 898.6, has a publication date of October 27, 1988 ("the Second German Patent Application"). As shown by its figures and its English translation the Application seems to describe attaching auxiliary frames to primary frames based on strips of magnetic materials. Again, magnetic coupling seems to occur on the plane of the lenses.

4. The First Japanese Patent Application

Japanese patent number 2-109325, has a publication date of August 31, 1990 ("the First Japanese Patent Application"). Based on the translated text and the figures, magnetic coupling again seems to occur at the plane of the lenses, and seems to be located close to the temple regions.

5. The Second Japanese Patent Application

Japanese patent number 7-128620, has a publication date of May 19, 1995 ("the Second Japanese Patent Application"). As shown by its figures and the official translation of its abstract, the Application seems to describe sunglasses with magnets close to the temple regions of a primary and an auxiliary frame. There also seems to be a hinge at the bridge of the auxiliary frame. Again, magnetic coupling appears to occur at the plane of the lenses.

6. The Sunreeve Patent

U.S. Patent number 5,642,177 by Sunreeve was issued on June 24, 1997 ("the Sunreeve Patent"). This Patent seems to cover subject matter similar to the above Japanese Application No. 7-128620.

7. The Chinese Patent

Chinese patent number 76,209,045, has an application date of September 16, 1976 ("the Chinese Patent"). As shown in its figures and a translation of its abstract on page 2, the Patent seems to describe attaching auxiliary frames to primary frames through magnets. Magnetic coupling again appears to occur at the plane of the lenses.

8. The PCT Patent

The PCT patent number WO 90/09611, has a publication date of August 23, 1990 ("the PCT Patent"). As shown in its figures and its English translation, the Patent again seems to describe attaching auxiliary frames to primary frames through magnets. Magnetic coupling again appears to occur at the plane of the lenses.

9. The French Patent

French patent number 1,061,253, has a publication date of April 12, 1954 ("the French Patent"). As shown in its English translation, the Patent seems to describe attaching auxiliary frames to primary frames based on pins and hooks, bent in opposite directions. There does not seem to be any discussion on attachment schemes based on magnets.

10. Twincome from Pentax

Pentax has initiated a patent opposition proceeding in Germany, challenging another one of Applicant's invention. In it, Pentax included a number of publications, and alleged that they described their product, Twincome. According to a Pentax declaration in the opposition, Pentax had made Twincome public before November 7, 1995. Applicant is challenging the opposition. However, just in case the Examiner might consider the materials in the opposition relevant to the allowability of Applicant's patent application, Applicant has included in this last set of publications, disclosures asserted by Pentax to be public information on Twincome.

According to Pentax, this last set of publications describes Twincome, which has magnets at the temples of a spectacle frame. Even if Pentax's statements can be independently verified, Twincome only seems to teach magnets at the temples of frames, as in US Patent No. 5,568,207, also to Applicant.

Applicant believes that none of the above sets of publications, singly or in any combination, teaches Applicant's claimed invention. Thus, these publications should not have affected the allowability of Applicant's patent application.